

LEE ANTHONY JOHNSON	§	
VS.	§	CIVIL ACTION NO. 1:16-CV-388
SADIE VINCENT, ET AL.	§	

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit. Plaintiff cites incidents that took place more than one year after this

action was filed as proof he is in imminent danger of serious harm. However, in order to proceed *in forma pauperis*, plaintiff must show that he was in imminent danger of serious harm at the time the action was filed. For the reasons stated by the Magistrate Judge, plaintiff has not met this burden. Therefore, plaintiff is not eligible to proceed *in forma pauperis*.

ORDER

Accordingly, plaintiff's objections (document no. 28) are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge (document no. 24) is **ADOPTED**. Plaintiff's motion for leave to proceed *in forma pauperis* (document no. 2) is **DENIED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So **ORDERED** and **SIGNED** this **1** day of **March, 2018**.



Ron Clark, United States District Judge